

DISPUTE REVIEW BOARD AGREEMENT AMENDMENT

(Contract Identification) Contract No. _____

THIS DISPUTE REVIEW BOARD AGREEMENT AMENDMENT is made this _____ day of _____, _____, between the State of California, the contractor and the Dispute Review Board (DRB).

It is hereby mutually understood and agreed upon by and between the State of California (state), the contractor and the DRB that the DISPUTE REVIEW BOARD AGREEMENT referred to above is amended to include the informal dispute process.

INFORMAL DISPUTE PROCESS

The informal dispute process does not supersede or relieve the state, contractor or DRB from their stated responsibilities in the Dispute Review Board Agreement.

The informal dispute process is used for smaller or less complex cases.

The following are exceptions to the Dispute Review Board Agreement when disputes are heard by the DRB using the informal dispute process:

1. Before the initial informal dispute process, the DRB should establish all rules to be followed in preparing for and conducting these meetings in conformance with the contract, the Dispute Review Board Agreement and this Amendment. These rules should only be implemented with approval by the state and contractor.
2. An informal dispute process should be convened by the DRB to hear a dispute, if the state and contractor are in agreement.
3. Recommendations with findings are presented to state and contractor verbally.
4. Recommendations are given the same day as the informal dispute process, unless otherwise agreed to by the state and the contractor.
5. After the recommendations have been presented, the state and contractor may ask for clarifications.
6. If the state and contractor are able to settle their dispute with the aid of the DRB's recommendation, the state and contractor should promptly accept and implement the settlement of the parties. If unresolved, the parties should continue to follow the procedures described in Section 5-1.XX, "Dispute Review Board," of the special provisions.
7. The DRB will not be bound by its oral recommendation in the event that a dispute that was considered in the informal dispute process is later submitted to the DRB for dispute resolution, as described in the Dispute Review Board Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this DISPUTE REVIEW BOARD AGREEMENT AMENDMENT the day and year written above.

DRB MEMBER

By: _____

Title: _____

DRB MEMBER

By: _____

Title : _____

DRB MEMBER

By : _____

Title : _____

CONTRACTOR

By: _____

Title: _____

CALIFORNIA STATE DEPARTMENT
OF TRANSPORTATION

By: _____

Title: _____